

IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION

In the Matter of:
Franklin Twiddy,
Kimberly Twiddy

Case No: 11-70359
Chapter 13

NOTICE OF MOTION TO SUSPEND PLAN PAYMENTS

The debtor has filed papers with the Court to Suspend Plan Payments.

Your rights may be affected. You should read these papers carefully and discuss them with your Attorney, if you have one in this case. (If you do not have an Attorney, you may wish to consult one.)


If you do not want the Court to grant the Motion requested, or if you want the Court to consider your views on the Motion, then on or before May 30, 2013, you or your Attorney must file with the Court, at the address shown below, a written response pursuant to Local Bankruptcy Rule 9013-1(H).

You must also send a copy of your written response to:

Steve C. Taylor, Esquire
Counsel for the Debtors
Law Offices of Steve C. Taylor, P.C.
133 Mount Pleasant Road
Chesapeake, VA 23322

If you or your Attorney do not take this step, the Court may decide you do not oppose the relief sought in the motion and may enter an Order granting the Motion without further notice or hearing.

Date: 5/10/13




Steve C. Taylor, Esquire
Counsel for the Debtors

Steve C. Taylor
Law Offices of Steve C. Taylor
Attorney for the debtor(s)
133 Mount Pleasant Road
Chesapeake, Virginia 23322
(757) 482-5705
VSB#: 31174

CERTIFICATE OF SERVICE

I hereby certify that a true copy of this Notice of Motion was mailed by First Class United States mail, postage prepaid, to the Office of the United States Trustee; the Chapter 13 Trustee; and all creditors and parties in interest, on May 10, 2013.



Steve C. Taylor, Esquire

**IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION**

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Case No: 11-70359
Chapter 13

MOTION TO SUSPEND PLAN PAYMENTS

NOW COME the debtors, by Counsel, and state the following, to wit:

1. That the debtors filed bankruptcy under Chapter 13 on January 27, 2011.
2. That R. Clinton Stackhouse, Jr. was appointed and serves as the Trustee in this case.
3. That the debtors filed a Chapter 13 Plan on February 3, 2011 that was confirmed on March 21, 2011.
4. That the air conditioning/heating system in debtors' residence has broken down and will need to be repaired and that such expense was unanticipated.
5. That the debtors are currently due for two Plan payments as of May 2013 in the amount of \$1650, which is the approximate amount of the estimated cost of repairs.
6. That the debtors will be unable to make these two Plan payments and also meet this expense.
7. That if the debtors defer sending in payments for April and May they will be able to resume making regular payments in June 2013 and will be able to catch up the suspended \$1650.00 before the fifty-fifth month of their Plan.
8. That the debtor will resume employment as soon as medical advice allows in order to continue in his Plan and meet his expenses.
9. Wherefore Debtors pray for a two (2) month suspension of their Chapter 13 Plan payments.
10. That the debtors agree to cure the arrears from the two (2) month suspension before the fifty-fifth (55) month of the Chapter 13 Plan.

Steve C. Taylor
Law Offices of Steve C. Taylor
Attorney for the debtor(s)
133 Mount Pleasant Road
Chesapeake, Virginia 23322
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WHEREFORE, the debtors pray this Honorable Court enter an Order allowing them to suspend the Chapter 13 plan payment arrears of \$1650, with payments resuming in June of 2013, and that the debtor will cure the arrearages on or before the fifty-fifth (55) month of the Chapter 13 Plan.

FRANKLIN TWIDDY
KIMBERLY TWIDDY



/s/ Steve C. Taylor

Steve C. Taylor, Esquire,
Counsel for the debtor

Certificate of Mailing

I hereby certify that on May 10, 2013, the foregoing Motion was mailed to the debtor, all creditors, the Office of the United States Trustee, and the Chapter 13 trustee.



/s/ Steve C. Taylor